

Salina M. Kanai #8096
Federal Public Defender for the District of Hawaii

Craig W. Jerome #8797
First Assistant Federal Defender
Jacquelyn T. Esser #9226
300 Ala Moana Boulevard, Suite 7104
Honolulu, Hawaii 96850-5269
Telephone: (808) 541-2521
Facsimile: (808) 541-3545
E-Mail: craig_jerome@fd.org
jacquelyn_esser@fd.org

Attorneys for Defendant
Christopher Chan

In the United States District Court for the District of Hawaii

United States of America,
Plaintiff,

v.

Christopher Chan,
Defendant.

Cr. No. 1:22-cr-00109-DKW

Citation to Supplemental Authority
Regarding Chan's Motion to Dismiss
Under the Second Amendment or the
Commerce Clause (ECF 146); Appendix
A; Certificate of Service

**Citation to Supplemental Authority Regarding Chan's Motion to Dismiss
Under the Second Amendment or the Commerce Clause**

Defendant Christopher Chan, through counsel, hereby submits this Citation to Supplemental Authority related to Chan's Motion to Dismiss Under the Second Amendment or the Commerce Clause (ECF 146). This filing is submitted pursuant to Criminal Local Rule 12.3.

On August 21, 2024, U.S. District Judge John W. Broome issued an Opinion and Order granting a defendant's motion to dismiss two counts charging the defendant with possession of a machine gun in violation of 18 U.S.C. §922(o).

United States v. Tamori Morgan, Case No. 23-10047-JWB, ECF 35 (D. Kan. Aug. 21, 2024) (concluding that the government had failed to establish that our Nation's history of gun regulation justified the application of 18 U.S.C. §922(o) to Morgan's possession of an Anderson Manufacturing, model AM-15 .300 caliber machinegun and a machine gun conversion device).

The Opinion and Order is attached as Appendix A.

Honolulu, Hawaii, August 21, 2024.

/s/ Craig W. Jerome

Craig W. Jerome

First Assistant Federal Defender

Jacquelyn T. Esser

Assistant Federal Defender

Attorneys for Defendant

Christopher Chan

Certificate of Service

The undersigned certifies that a true and correct copy of the foregoing was served on the following by NEF when the foregoing was electronically filed in this Court on the date noted below:

Sara D. Ayabe
Rebecca A. Perlmutter
Assistant United States Attorneys

Honolulu, Hawaii, August 21, 2024.

/s/ Craig W. Jerome
Craig W. Jerome
First Assistant Federal Defender
Attorney for Defendant
Christopher Chan